

**Commonwealth of Kentucky  
Natural Resources and Environmental Protection Cabinet  
Department for Environmental Protection  
Division for Air Quality  
803 Schenkel Lane  
Frankfort, Kentucky 40601  
(502) 573-3382**

**Title V  
AIR QUALITY PERMIT  
Issued under 401 KAR 52:020**

**Permittee Name:** Trus Joist, A Weyerhaeuser Business  
**Mailing Address:** 610 Trus Joist Lane, Chavies, Kentucky 41727

**Source Name:** Trus Joist, A Weyerhaeuser Business  
**Mailing Address:** Same as above

**Source Location:** 610 Trus Joist Lane

**Permit Number:** V-03-008 R1  
**Log Number:** 56024  
**Review Type:** Operating, TV/Synthetic Minor  
**Source ID #:** 21-193-00097

**Regional Office:** Hazard Regional Office  
233 Birch Street, Suite 2  
Hazard, KY 41701-2179  
(606)-435-6025

**County:** Perry

**Issuance Date:** July 2, 2003  
**Revision Date:** October 3, 2003  
**Expiration Date:** July 2, 2008

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**John S. Lyons, Director  
Division for Air Quality**

## TABLE OF CONTENTS

SECTION	DATE OF ISSUANCE	PAGE
A. PERMIT AUTHORIZATION	July 2, 2003	1
B. EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS	October 3, 2003	2
C. INSIGNIFICANT ACTIVITIES	July 2, 2003	13
D. SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS	July 2, 2003	14
E. SOURCE CONTROL EQUIPMENT OPERATING REQUIREMENTS	July 2, 2003	15
F. MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS	July 2, 2003	16
G. GENERAL PROVISIONS	July 2, 2003	19
H. ALTERNATE OPERATING SCENARIOS	July 2, 2003	24
I. COMPLIANCE SCHEDULE	July 2, 2003	25

Permit type	Log #	Complete Date	Issuance Date	Summary of Action
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<b>Initial Issuance</b>	<b>?</b>	<b>?</b>	<b>4/9/97, 9/10/96 &amp;4/7/97-</b>	<b>C-93-111 (Revision 2), S-96-256 &amp; S-97-033</b>
<b>VS-02-009</b>	<b>55389</b>	<b>12/11/02</b>	<b>12/12/02</b>	<b>Finger Joint Upgrade</b>
<b>Operating, Title V/Synthetic Minor</b>	<b>F916/5 0711</b>	<b>02/12/98</b>	<b>07/02/03</b>	<b>V-03-008</b>
<b>Operating, Title V/Synthetic Minor Revision</b>	<b>56024</b>	<b>9/25/03</b>	<b>10/03/03</b>	<b>Compliance demonstration for E.U. 01 - Three Wellons Wood-Fired Furnaces revision V-03-008 R1</b>

## **SECTION A - PERMIT AUTHORIZATION**

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and received a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:020, Title V Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

**SECTION B - AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS****Emission Units 01 Three Wellons Wood-Fired Furnaces****Description:****(MP 01)**

Primary Fuel: Wood Waste  
Rated Capacity: (3) 80 mmBtu/hr, each  
Construction Commenced: 1994  
Control Device: Multiclone  
Electrified Filter Bed

**(MP 02)-Auxiliary Burner -Backup Unit**

Primary Fuel: Propane  
Rated Capacity: 35 mmBtu/hr  
Construction Commenced: 1994

**APPLICABLE REGULATIONS:**

Regulation 401 KAR 59:015, New Indirect Heat Exchangers applicable to an emission unit with a capacity less than 250 mmBtu per hour and commenced on or after April 9, 1972.

Regulation 401 KAR 60:005, incorporating by reference Regulation 40 CFR 60, Subpart Dc, Standards of performance for small industrial-commercial-institutional steam generating units, for units less than or equal to 100 mmBtu/hour but greater than or equal to 10 mmBtu/hour commenced after June 9, 1989.

**1. Operating Limitations:**

The propane auxiliary burner shall not be operated simultaneously with the Wellons wood-fired furnace.

**2. Emission Limitations:**

- a. Pursuant to Regulation 401 KAR 59:015, Section 4(1)(b), particulate emissions shall not exceed 0.09 lb/mmBtu; actual heat input for each unit based on a three-hour average. Allowable emission rate have been set to actual emissions to preclude the applicability of Prevention of Significant Deterioration (PSD), 401 KAR 51:017.

Compliance with particulate emission limitation while burning wood may be demonstrated by the operation and routine maintenance of the electronic filter bed (EFB), such that the ionizer amperage does not drop below the lower limit of the indicator range developed from continuous data collected during stack tests. If five (5) percent of data recorded in a calendar quarter shows excursions below the indicator range, the Division may require a stack test to demonstrate compliance with the particulate standard while operating at the conditions which resulted in excursions. The Division may waive this testing requirement upon a demonstration that the cause of the excursions has been corrected, or may require stack tests at any time pursuant to Regulation 401 KAR 50:045, Performance tests.

For PM lbs./mmBtu emission limit:

PM lbs./mmBtu Emission Rate = [(PM<sub>10</sub> Hourly Emission Rate) x (Monthly hours of operation)] / (Monthly Fuel Usage Rate in mmBtu)]

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE**

**REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

- b. Pursuant to Regulation 401 KAR 59:015, Section 4(2), and Regulation 401 KAR 60:005, incorporating by reference 40 CFR 60, Subpart Dc, visible emissions shall not exceed 20% opacity based on a six minute average, except for one six minute period per hour of not more than 27% opacity.

Opacity shall be demonstrated by using EPA reference method 9. Alternatively, the permittee may use COM in determining compliance with opacity.

- c. Pursuant to Regulation 401 KAR 59:015, Section 5, SO<sub>2</sub> emissions shall not exceed 0.12 lbs/mmBtu actual heat input for each unit based on a three-hour average.

For SO<sub>2</sub> lbs./mmBtu emission limit:

SO<sub>2</sub> lbs./mmBtu Emission Rate = [(SO<sub>2</sub> Hourly Emission Rate) x (Monthly hours of operation)] / (Monthly Fuel Usage Rate in mmBtu)

- d. Nitrogen oxide emissions shall not exceed 0.23 lb/mmBtu; actual heat input for each unit based on a three-hour average, so as to preclude the applicability of PSD.

For NO<sub>x</sub> lbs./mmBtu emission limit:

NO<sub>x</sub> lbs./mmBtu Emission Rate = [(NO<sub>x</sub> Hourly Emission Rate) x (Monthly hours of operation)] / (Monthly Fuel Usage Rate in mmBtu)

- e. Maximum quantity of waste rags burned in the furnaces shall not exceed 1000 lb/week.

**Emission Limitations for Propane Burner only:**

- f. Pursuant to Regulation 401 KAR 59:015, Section 4(1)(b), the particulate emissions shall not exceed 0.01 lb/mmBtu; actual heat input for the unit based on a three-hour average. This unit is considered to be in compliance with the particulate emission limitation while burning propane. Allowable emission rate have been set to actual emissions to preclude the applicability of PSD.
- g. Pursuant to Regulation 401 KAR 59:015, Section 4(2), and Regulation 401 KAR 60:005, incorporating by reference 40 CFR 60, Subpart Dc, visible emissions shall not exceed 20% opacity based on a six minute average, except for one six minute period per hour of not more than 27% opacity.
- h. Pursuant to Regulation 401 KAR 59:015, Section 5, SO<sub>2</sub> emissions shall not exceed 0.80 lb/mmBTU; actual heat input from the unit based on a three-hour average.
- i. The unit is considered to be in compliance with the PM, SO<sub>2</sub>, and opacity standards while burning propane.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

**3. Testing Requirements:**

- a. The permittee shall conduct at least one performance test for particulates within six months following the issuance of this permit. The indicator range shall be developed from the EFB data collected during the stack tests.
- b. If no additional stack tests are performed pursuant to Condition 2.a above, the permittee shall conduct one performance test for particulate emissions within the third year of the term of this permit to determine compliance with the allowable standard.

**4. Specific Monitoring Requirements:**

- a. The Permittee shall monitor the wood fuel usage on a daily basis.
- b. Pursuant to Regulation 401 KAR 52:020, and 40 CFR 60, Subpart Dc, to meet the periodic monitoring requirement for opacity, the permittee shall use a continuous opacity monitor (COM).
- c. Pursuant to Regulation 401 KAR 59:005, Section 3, a continuous monitoring system for opacity shall conform to requirements of this section, which include installing, calibrating, operating, and maintaining the continuous monitoring system for accurate opacity measurement, and demonstrate compliance with Performance Specification 1 of 40 CFR 60, Appendix B, as requested by the Division for Air Quality.
- d. Pursuant to Regulation 401 KAR 59:005, Section 3 (5), the Division may provide a temporary exemption from the monitoring and reporting requirements of Regulation 401 KAR 59:005, Section 3, for the continuous monitoring systems during any period of monitoring system malfunction, provided that the source owner or operator shows, to the Division's satisfaction, that the malfunction was unavoidable and is being repaired as expeditiously as practicable.

**5. Specific Recordkeeping Requirements:**

- a. The permittee shall record and maintain records of the amount of wood fuel combusted by the furnace and propane combusted by the propane burner on a daily basis, in accordance with Regulation 40 CFR 60, Subpart Dc.
- b. The permittee shall maintain records of the COM data and the number of excursions above 20%, time and date of excursions, opacity value of the excursions, and percentage of the COM data showing above 20% in each calendar quarter.
- c. The permittee shall continuously record voltages, amperages, and pressure drops for the dry Electrified Filter Bed.
- d. The permittee shall record excursions beyond the acceptable ranges.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

**6. Specific Reporting Requirements:**

- a. The permittee shall report the number of excursions below the indicator range, date and time of excursions, amperage value of the excursions, and percentage of the data showing excursions from the indicator range in each calendar quarter.
- b. See Section F

**7. Specific Control Equipment Operating Conditions:**

- a. Pursuant to Regulation 401 KAR 50:055, Section 5, the Electrified Filter Bed shall be maintained and operated in accordance with manufacturer's specifications and/or standard operating practices
- b. Pursuant to Regulation 401 KAR 59:005, Section 3(4), records regarding the maintenance of the control equipment shall be maintained.
- c. See Section E for further requirements

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

**Emission Units 02: Four Conveyer Strand Dryers**



Maximum Strand Production: 8.2 tons/hr, each, and 287,328 tons/yr  
Construction Commenced: 1994  
Control Device: Electrified Filter Bed

**Emission Units 03: Siempelkamp Steam Injection Press**

Maximum Billet Production: 38.4 tons/hr, each, and 336,384 tons/yr  
Construction Commenced: 1994

**Emission Units 05: Saw System #1:** saw line, end edge, trim reject woodhogs & edge trim saw

Maximum Lumber Production: 69 tons/hr, and 604,440 tons/yr  
Construction Commenced: 1994  
Control Device: Baghouse #4: 99.7 Cyclone #4: 80%

**Emission Units 06: Finish Saw System #2:** dimensioning saw line

Maximum Lumber Production: 69 tons/hr, and 604,440 tons/yr  
Construction Commenced: 1994  
Control Device: Baghouse#5: 99.7 Cyclone #5: 80%

**Emission Units 07: Steineman Billet Sander**

Maximum Lumber Production: 69 tons/hr, and 604,440 tons/yr  
Construction Commenced: 1994  
Control Device: Baghouse#6: 99.7 Cyclone #6: 80%

**Emission Units 08: Two Stranding Operating:** Pallman stranders, conveyers, & transfer point.

Maximum Strand Production: 66 tons/hr, and 578,160 tons/yr  
Construction Commenced: 1994  
Control Device: Baghouse#1: 99.7 Cyclones : 80%

**Emission Units 09: Stranding Area Woodhog**

Maximum Production: 37.5 tons/hr, and 328,500 tons/yr  
Construction Commenced: 1994

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

**Emission Units 10: Siempelkamp Forming:** blenders, mat, formers, & flying saw

Maximum Production 38.4 tons/hr, and 336,384 tons/yr  
 Maximum MDI usage rate: 3,000 lb/hr, and 13,140 tons/yr  
 Construction Commenced: 1994  
 Control Device: (2) Baghouse #2 & #3: 99.7 fixed

### Emission Units 11 Wood Dust Pneumatic Conveying

Maximum throughput: 1.14 tons/hr, and 9,982 tons/yr  
 Construction Commenced: 1994  
 Control Device: Baghouse #1: 99.7 Cyclone: 80%

### **APPLICABLE REGULATIONS:**

Regulation 401 KAR 59:010, New process operations, applicable to an emission unit commenced on or after July 2, 1975.

#### **1. Operating Limitations:**

The usage and production rate of materials used in units 2 and 3 affected facilities shall not exceed the limitations described in Section B above.

#### **2. Emission Limitations:**

- a. Pursuant to Regulation 401 KAR 59:010, Section 3(1)(b), visible emissions shall not equal or exceed 20% opacity.
- b. Pursuant to Regulation 401 KAR 59:010, Section 3(2), particulate emissions shall not exceed :

Emission Unit #	PM emissions (lb/hr)	PM emissions (ton/yr)
2	3.28	57.4
3	1.2	5.26
5	2.2	9.4
6	2.2	9.4
7	2.2	9.4
8	2.62	11.5
9	0.242	1.06
10	3.30	14.4

- c. Pursuant to Regulation 401 KAR 63:021 emissions from methylene biphenyl isocyanate (MDI) shall not exceed 1.45 lb/hr.

## **SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

### **Compliance Demonstration Method:**

In determining compliance with the opacity standard as listed above, the owner or operator shall use Reference Method 9.

**3. Testing Requirements:**

The permittee shall determine the opacity of emissions from the stack using U.S. EPA Reference Method 9 annually, or more frequently if requested by the Division.

**4. Specific Monitoring Requirements:**

The Permittee shall monitor maximum usage rate, production and throughput of MDI, strand, billet, and lumber on a weekly basis.

**5. Specific Recordkeeping Requirements:**

Records of the amount of MDI, strand, billet, and lumber shall be maintained.

**6. Specific Reporting Requirements:**

See Section F.

**7. Specific Control Equipment Operating Conditions:**

- a. Pursuant to Regulation 401 KAR 50:055, Section 5, the baghouse shall be operated as necessary to maintain compliance with the permitted emission limitations, in accordance with the manufacturer's specifications and/or good engineering practices.
- b. Pursuant to Regulation 401 KAR 59:005, Section 3(4), records regarding the maintenance of the control equipment shall be maintained
- c. See Section E for further requirements.

**SECTION B – EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

**Emission Units 15: Green Woodhog FUGITIVES**

Construction Commenced: 1994

**Emission Units 16: Log preparation: debarker, slasher deck, and 4 saws**

Construction Commenced: 1994

**Emission Units 17: Green Fuel Storage Bin**

Construction Commenced: 1994

**Emission Units 18: Dry Fuel Storage Bin**

Construction Commenced: 1994

**Emission Units 19: Wood Chipper**

Construction Commenced: 1994

**Emission Units 20: Wood Tub Grinder**

Construction Commenced: 1994

**Emission Units 25: Unpaved Roadway**

Construction Commenced: 1994

**Applicable Regulations:**

Regulation 401 KAR 63:010, Fugitive Emissions

**1. Operating Limitations:**

- a. Pursuant to Regulation 401 KAR 63:010, Section 3, reasonable precautions shall be taken to prevent particulate matter from becoming airborne. Such reasonable precautions shall include, when applicable, but are not limited to the following:
  - 1 Application and maintenance of suitable chemicals or water on roads, material stockpiles, and other surfaces which can create airborne dust; and
  2. Installation and use of other measures to suppress the dust emissions during handling;
- b. Pursuant to Regulation 401 KAR 63:010, Section 3, discharge of visible fugitive dust emissions beyond the property line is prohibited.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

**2. Emission Limitations:**

None

**3. Testing Requirements:**

None

**4. Specific Monitoring Requirements:**

The permittee shall monitor fugitive emissions weekly from each emission point. Usage of enclosures demonstrates compliance with the requirements of 401 KAR 63:010.

**5. Specific Record Keeping Requirements:**

The permittee shall maintain a log of the date, time, and results of the monitoring required in Subsection 4 above.

**6. Specific Reporting Requirements:**

See Section F, Conditions 5, 6, 7 and 8.

**7. Specific Control Equipment Operating Conditions:**

- a. Pursuant to Regulation 401 KAR 50:055, Section 5, the partial enclosures and filters shall be maintained and operated to ensure the emission units are in compliance with applicable requirements of Regulation 401 KAR 63:010 and in accordance with manufacturer's specifications and/or standard operating practices
- b. Pursuant to Regulation 401 KAR 59:005, Section 3(4), records regarding the maintenance of the control equipment shall be maintained.
- c. See Section E for further requirements.

## **SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

### **Emission Units 21     Flange Preparation and Finger Joint Line**

Maximum Flange Production: 18.3 tons/hr  
Maximum Adhesive Usage rate: 15.6 lb/hr  
Construction Commenced: 1994  
Control Device: Baghouse #7: 99.7

### **Emission Units 22     Web Preparation, TSI Machining, Spray Booth, I-line Oven**

Maximum Web Production: 15.6 tons/hr  
Maximum Adhesive Usage Rate: 250 lb/hr  
Construction Commenced: 1994  
Control Device: Baghouse#8: 99.7

#### **Unit 22 (MP02)     Fungicide Usage**

Maximum Usage rate: 8.79 lb/hr, or 38.5 tons/yr  
Construction Commenced: 1994

### **Emission Units 23     High Pressure Relay**

Maximum Production: None  
Construction Commenced: 1994  
Control Device: Baghouse #9: 99.7

### **Emission Units 24     Propane Heating**

Maximum Heat Input: 2.8 mmBtu/hr  
Construction Commenced: 1994

### **APPLICABLE REGULATIONS:**

Regulation 401 KAR 59:010, New Process Operations, applicable to an emission unit commenced on or after July 2, 1975.

Regulation 401 KAR 63:021, Existing sources emitting toxic air pollutants.

#### **1.     Operating Limitations:**

The usage rate of glue shall not exceed the limitations described in Section B above.

#### **2.     Emission Limitations:**

- a. Pursuant to Regulation 401 KAR 59:010, Section 3(1)(b), visible emissions shall not equal or exceed 20% opacity.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

- b. Pursuant to Regulation 401 KAR 59:010, Section 3(2), particulate emissions shall not exceed :

Emission Unit #	PM emissions (lb/hr)	PM emissions (ton/yr)
21	1.97	8.6
22	2.2	9.5
23	0.36	1.59

- c. Throughput and usage rate for adhesives and fungicides shall not exceed limitations in Section B above, to demonstrate compliance with Regulation 401 KAR 63:021.

**Compliance Demonstration Method:**

Performance tests, where required, used to demonstrate compliance with the particulate matter standard as listed above shall be conducted according to Reference Method 9.

**3. Testing Requirements:**

The permittee shall determine the opacity of emissions from the stack using U.S. EPA Reference Method 9 annually, or more frequently if requested by the Division.

**4. Specific Monitoring Requirements:**

The Permittee shall monitor maximum usage rates, production and throughputs of adhesive, fungicides, and sealers, on weekly basis.

**5. Specific Recordkeeping Requirements:**

Records of the amount of fungicides, adhesives, and sealers be maintained.

**6. Specific Reporting Requirements:**

See Section F

**SECTION C - INSIGNIFICANT ACTIVITIES**

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:020, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

<u>Description</u>	<u>Generally Applicable Regulation</u>
1. Emergency Generator (Diesel)	NA
2. Emergency Fire Pump (Diesel)	NA
3. 18- Roof Ventilation	NA
4. 4-Dryer Wall Exhaust	NA
5. Emergency High Pressure Wood Dust Conveying	NA
6. Diesel Tank (10,000 gallons)	NA
7. Thermal Oil Tank (10,000 gallons)	NA
8. 2-MDI Resin Tanks (14,000 gallons)	NA
9. Emulsified Wax (14,000 gallons)	NA
10. 2-TimberStrand® and TJI Propane Tanks (30, 000 gallons each, pressurized)	NA
11. Fingerjoint Adhesive/Clamping	NA
12. TimberStrand® LSL/TJI Logo inkjet Printer-Stamp	NA
13. TJI Adhesive/Storage Tanks	NA
14. Wood Fuel Storage (bark, strands, and wood chips)	NA
15. Paved Roadway	NA
16. Wet Wood Fuel Bin	NA
17. Strand/Mat Reject Bins	NA
18. Truck Wood collection Bin	NA
19. Evaporation tank	NA
20. Edge Seal Application	NA
21. End seal Application	NA

## **SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS**



1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26; compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.
2. Nitrogen oxides, Sulfur dioxides and Particulate matter emissions, as measured by methods referenced in 401 KAR 50:015, Section 1, shall not exceed the respective limitations specified herein.
3. Emission of carbon monoxide, particulate matter and nitrogen oxides shall not exceed 245 tons each, during any consecutive twelve (12) month rolling total.

## **SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS**

Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

## **SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS**

1. Pursuant to Section 1b (IV)1 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
  - a. Date, place as defined in this permit, and time of sampling or measurements;
  - b. Analyses performance dates;
  - c. Company or entity that performed analyses;
  - d. Analytical techniques or methods used;
  - e. Analyses results; and
  - f. Operating conditions during time of sampling or measurement.
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [Sections 1b(IV) 2 and 1a(8) of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
3. In accordance with the requirements of 401 KAR 52:020 Section 3(1)h the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
  - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
  - b. To access and copy any records required by the permit;
  - c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Summary reports of any monitoring required by this permit, other than continuous emission or opacity monitors, shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation [Section 1b (V) 1 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

## **SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)**

6. The semi-annual reports are due by January 30th and July 30th of each year. Data from the continuous emission and opacity monitors shall be reported to the Technical Services Branch in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All reports shall be certified by a responsible official pursuant to 401 KAR 52:020 Section 23. All deviations from permit requirements shall be clearly identified in the reports.
7. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
  - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
  - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall submit written notice upon request.
8. The owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7. above) to the Regional Office listed on the front of this permit within *30 days*. Other deviations from permit requirements shall *be included in the semiannual report required by Section F.6* [Section 1b (V) 3, 4. of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
9. Pursuant to 401 KAR 52:020, Permits, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit, by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit and the U.S. EPA in accordance with the following requirements:
  - a. Identification of the term or condition;
  - b. Compliance status of each term or condition of the permit;
  - c. Whether compliance was continuous or intermittent;
  - d. The method used for determining the compliance status for the source, currently and over the reporting period.
  - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

**SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)**

- f. The certification shall be postmarked by January 30th of each year. Annual compliance certifications should be mailed to the following addresses:

Division for Air Quality  
Hazard Regional Office  
233 Birch Street, Suite 2  
Hazard, KY 41701-2179

U.S. EPA Region 4  
Air Enforcement Branch  
Atlanta Federal Center  
61 Forsyth St.  
Atlanta, GA 30303-8960

Division for Air Quality  
Central Files  
803 Schenkel Lane  
Frankfort, KY 40601

10. In accordance with 401 KAR 52:020, Section 22, the permittee shall provide the Division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission survey is mailed to the permittee.
11. Pursuant to Section VII (3) of the policy manual of the Division for Air Quality as referenced in 401 KAR 50:016, Section 1(1), results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days after the completion of the fieldwork.

## SECTION G - GENERAL PROVISIONS

### (a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. Noncompliance shall be a violation of 401 KAR 52:020 and of the Clean Air Act and is grounds for enforcement action including but not limited to termination, revocation and reissuance, revision or denial of a permit [Section 1a, 3 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020 Section 26].
2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a, 6 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
3. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:020, Section 19. The permit will be reopened for cause and revised accordingly under the following circumstances:
  - a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:020, Section 12;
  - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
  - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit;

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or compliance with the conditions of this permit [Section 1a, 7,8 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such facts or corrected information to the permitting authority [401 KAR 52:020, Section 7(1)].

## SECTION G - GENERAL PROVISIONS (CONTINUED)

6. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a, 14 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a, 4 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
8. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens of the United States [Section 1a, 15 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6) [Section 1a, 10 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:020, Section 11(3)(b)].
11. This permit does not convey property rights or exclusive privileges [Section 1a, 9 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.
13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry [401 KAR 52:020, Section 11(3)(d)].
14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders [401 KAR 52:020, Section 11(3)(a)].
15. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.

## SECTION G - GENERAL PROVISIONS (CONTINUED)

16. Pursuant to 401 KAR 52:020, Section 11, a permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of issuance. Compliance with the conditions of a permit shall be considered compliance with:
- (a) Applicable requirements that are included and specifically identified in the permit and
  - (b) Non-applicable requirements expressly identified in this permit.

(b) Permit Expiration and Reapplication Requirements

- 1. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:020, Section 12].
- 2. The authority to operate granted shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:02+0 Section 8(2)].

(c) Permit Revisions

- 1. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:020, Section 14(2).
- 2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements

NA

(e) Acid Rain Program Requirements

NA

## SECTION G - GENERAL PROVISIONS (CONTINUED)



(f) Emergency Provisions

1. Pursuant to 401 KAR 52:020 Section 24(1), an emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or relevant evidence that:
  - a. An emergency occurred and the permittee can identify the cause of the emergency;
  - b. The permitted facility was at the time being properly operated;
  - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
  - d. Pursuant to 401 KAR 52:020, 401 KAR 50:055, and KRS 224.01-400, the permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
  - e. This requirement does not relieve the source of other local, state or federal notification requirements.
2. Emergency conditions listed in General Condition (f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:020, Section 24(3)].
3. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:020, Section 24(2)].

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

RMP Reporting Center  
P.O. Box 3346  
Merrifield, VA, 22116-3346

2. If requested, submit additional relevant information to the Division or the U.S. EPA.

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:

**SECTION G - GENERAL PROVISIONS (CONTINUED)**

- a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
  - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
  - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
  - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166
  - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
  - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, *Servicing of Motor Vehicle Air Conditioners*.

**SECTION H - ALTERNATE OPERATING SCENARIOS**

NA

**SECTION I - COMPLIANCE SCHEDULE**

NA